



PATENT APPLICATION
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10-2-03
Date

Cynthia Hagen
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Christopher S. Piddington, Charles Petrie, Kimberly E. Shoemaker,
Paul D. Bishop
Serial No. : 09/978,385
Filed : October 16, 2001
For : ZACE2: A HUMAN METALLOENZYME
Examiner : Moore, W.
Art Unit : 1652
Docket No. : 99-24C1
Date : October 2, 2003

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE COMMUNICATION

Sir:

In response to the Office Communication dated June 2, 2003 but not received until September 11, 2003, please extend the period of time for response three months, to expire on October 2, 2003. Enclosed are a Request for Extension of Time and the requisite fee. However, if the enclosed second Petition (to request a refund of that fee) is found to have merit, the Office is requested to not charge that fee in accepting this response (or refund the fee, if it has already been charged).

Also in response to the Office Communication of June 2, 2003 Applicants elect with traverse Group II, drawn to claims 7-12 and 15 but only as to SEQ ID NO 2. It is respectfully submitted that Groups VII and VIII, also drawn to polynucleotide sequences, vectors, and host cells comprising those polynucleotide sequences should also be examined at this time

because of the structural similarity of SEQ ID NO 2 to those of SEQ ID NO 6 and SEQ ID NO 9. As disclosed on page 3 of the specification, SEQ ID NO 2 encodes the human amino acid sequence of the *Zace2* gene, while SEQ ID NO 6 and SEQ ID NO 9 encode two murine forms of this gene. There is significant structural similarity between the human and the two murine forms. This structural similarity allows all three sequences to be searched at one time and supports the categorization of these three sequences into a single election group. The Examiner orally agreed to this approach to this case and Applicants thank him for his views on this election requirement.

Early action upon and allowance of this application are requested. If for any reason the Examiner feels that a telephone conference would expedite prosecution of the application, the Examiner is invited to telephone the undersigned at (206) 442-6627.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Michelle L. Johnson".

Michelle L. Johnson
Registration No. 36,352

Enclosures:

Petition and Fee for Extension of Time (in duplicate)
Petition requesting refund of extension fee
Postcard